

six positions of minority employee authorized by the Legislative Pay Act of 1929 and referred to in House Resolution 441 of the Ninety-first Congress shall be a per annum gross rate equal to the annual rate of basic pay of level IV of the Executive Schedule of section 5315 of title 5, unless a lower rate is established by the Minority Leader.

(Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668.)

#### REFERENCES IN TEXT

The Legislative Pay Act of 1929, referred to in text, is act June 20, 1929, ch. 33, 46 Stat. 32. For complete classification of this Act to the Code, see Tables.

House Resolution 441, referred to in text, is set out as a Prior Provisions note below.

#### CODIFICATION

Section is based on section 1 of House Resolution 119, Ninety-fifth Congress, Jan. 19, 1977, which was enacted into permanent law by Pub. L. 95-94.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in House Resolution 441, Ninety-first Congress, June 17, 1969, as enacted into permanent law by Pub. L. 91-145, § 103, Dec. 12, 1969, 83 Stat. 359, which provided: "That, until otherwise provided by law—

"(1) The six positions of minority employee listed in House Resolution 8, Ninety-first Congress, as supplemented by House Resolution 238, Ninety-first Congress, and House Resolution 265, Ninety-first Congress, are hereby given position titles in the descending order in which those six positions are listed in House Resolution 8, as follows:

"(A) the position title of the position listed first is 'Floor Assistant to the Minority';

"(B) the position title of the position listed second is 'Floor Assistant to the Minority';

"(C) the position title of the position listed third is 'Floor Assistant to the Minority';

"(D) the position title of the position listed fourth is 'Floor Assistant to the Minority';

"(E) the position title of the position listed fifth is 'Pair Clerk to the Minority'; and

"(F) the position title of the position listed sixth is 'Staff Director to the Minority'.

"(2) Appointments to each position for which a position title is provided by subparagraph (1) of this section shall be made by action of the House of Representatives.

"(3) The rate of pay of each position for which a position title is provided by subparagraph (1) of this section shall be a per annum gross rate equal to the annual rate of basic pay of Level V of the Executive Schedule in section 5316 of title 5, United States Code, unless a different rate is provided for such position by action of the House of Representatives.

"SEC. 2. (a) The first section of this resolution shall not affect or change the appointments or continuity of employment of those employees who hold such positions on the date of adoption of this resolution [June 17, 1969].

"(b) In accordance with the authority of the House of Representatives under subparagraph (3) of the first section of this resolution, the respective per annum gross rates of pay of those positions for which position titles are provided by clauses (C), (D), (E), and (F) of subparagraph (1) of the first section of this resolution are as follows:

"(1) for the position subject to clause (C)—\$29,160;

"(2) for the position subject to clause (D)—\$25,200;

"(3) for the position subject to clause (E)—\$28,440; and

"(4) for the position subject to subparagraph (F)—\$28,080.

"SEC. 3. This resolution shall become effective as of the beginning of the calendar month in which this resolution is adopted [June 1969]."

#### DESIGNATION AND COMPENSATION OF THREE FURTHER MINORITY EMPLOYEES

House Resolution No. 7, One Hundred Fourth Congress, Jan. 4, 1995, which was enacted into permanent law by Pub. L. 104-53, title I, § 103, Nov. 19, 1995, 109 Stat. 520, provided that: "In addition, the minority leader may appoint and set the annual rate of pay for up to three further minority employees."

#### § 74d. Corrections Calendar Office

There is established in the House of Representatives an office to be known as the Corrections Calendar Office, which shall have the responsibility of assisting the Speaker in the management of the Corrections Calendar under the Rules of the House of Representatives. The Office shall have not more than five employees—

(1) who shall be appointed by the Speaker, in consultation with the minority leader; and

(2) whose annual rate of pay shall be established by the Speaker, but may not exceed 75 percent of the maximum annual rate under the general limitation specified by the order of the Speaker in effect under section 60a-2a of this title.

(Pub. L. 105-55, title I, § 101, Oct. 7, 1997, 111 Stat. 1183.)

#### CODIFICATION

Section is based on House Resolution No. 7, One Hundred Fifth Congress, Jan. 7, 1997, which was enacted into permanent law by Pub. L. 105-55.

#### TRANSFER OF POSITIONS IN CORRECTIONS CALENDAR OFFICE

Pub. L. 108-83, title I, § 106, Sept. 30, 2003, 117 Stat. 1018, provided that:

"(a)(1) Effective October 1, 2003—

"(A) 3 of the positions in the Corrections Calendar Office, and the functions associated with such positions, shall be transferred to the Office of the Speaker; and

"(B) 2 of the positions in the Corrections Calendar Office, and the functions associated with such positions, shall be transferred to the Office of the Minority Leader.

"(2) Notwithstanding any other provision of law, in the case of any individual who is an incumbent of a position transferred under paragraph (1) at the time of the transfer, the total number of days of annual leave and the total number of days of sick leave which were provided by the Corrections Calendar Office to the individual and which remain unused as of the date of the transfer shall remain available for the individual to use after the transfer.

"(b) Effective with respect to fiscal year 2004 and each succeeding fiscal year, the lump sum allowance for salaries and expenses of the Corrections Calendar Office provided under House Resolution 130, One Hundred Fifth Congress, agreed to April 24, 1997, as enacted into permanent law by section 101 of the Legislative Branch Appropriations Act, 1998 (2 U.S.C. 74d-1 et seq.), is transferred as follows:

"(1) 63.5 percent of such allowance shall be transferred to the Office of the Speaker.

"(2) 36.5 percent of such allowance shall be transferred to the Office of the Minority Leader."

#### § 74d-1. Lump sum allowance for Corrections Calendar Office

There shall be a lump sum allowance of \$300,000 per fiscal year for the salaries and ex-

penses of the Corrections Calendar Office, established by section 74d of this title. Such amount shall be allocated between the majority party and the minority party as determined by the Speaker, in consultation with the minority leader.

(Pub. L. 105-55, title I, § 101, Oct. 7, 1997, 111 Stat. 1183.)

#### CODIFICATION

Section is based on section 1 of House Resolution No. 130, One Hundred Fifth Congress, Apr. 24, 1997, which was enacted into permanent law by Pub. L. 105-55.

#### TRANSFER OF ALLOWANCE

For transfer of lump sum allowance under this section to Offices of Speaker and Minority Leader, see section 106 of Pub. L. 108-83, set out as a Transfer of Positions in Corrections Calendar Office note under section 74d of this title.

#### § 74d-2. Effective date

The allowance under section 74d-1 of this title—

(1) shall be available beginning with the month of May 1997;

(2) through the end of September 1997, shall be paid from the applicable accounts of the House of Representatives on a pro rata basis; and

(3) beginning with fiscal year 1998, shall be paid as provided in appropriations Acts.

(Pub. L. 105-55, title I, § 101, Oct. 7, 1997, 111 Stat. 1183.)

#### CODIFICATION

Section is based on section 2 of House Resolution No. 130, One Hundred Fifth Congress, Apr. 24, 1997, which was enacted into permanent law by Pub. L. 105-55.

#### § 75. Repealed. Pub. L. 92-310, title II, § 220(b), (c), June 6, 1972, 86 Stat. 204

Section, R.S. §§ 58, 59; act Mar. 2, 1895, ch. 177, § 5, 28 Stat. 807, required Clerk of House of Representatives to give a bond in the sum of \$20,000.

#### § 75-1. Repealed. Pub. L. 104-186, title II, § 204(22)(A)(iii), Aug. 20, 1996, 110 Stat. 1733

Section, based on H. Res. No. 8, par. (3), Ninety-fifth Congress, Jan. 4, 1977, enacted into permanent law by Pub. L. 95-94, title I, § 115, Aug. 5, 1977, 91 Stat. 668, related to compensation of Clerk of House.

A prior section 75-1, based on H. Res. No. 890, Ninety-second Congress, Oct. 4, 1972, enacted into permanent law by Pub. L. 92-607, ch. V, Oct. 31, 1972, 86 Stat. 1509, set forth the compensation of the Clerk at equal to the annual rate of basic pay fixed for level IV of the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

#### § 75a. Death, resignation, etc., of Chief Administrative Officer of House; accounts and payments; liability of Chief Administrative Officer for acts and defaults of disbursing clerk

On and after June 8, 1942, in case of the death, resignation, separation from office, or disability of the Chief Administrative Officer of the House of Representatives, the accounts of the Chief Administrative Officer may be continued and payments made in his name by the disbursing clerk of the House of Representatives for a pe-

riod extending not beyond the quarterly period during which a new Chief Administrative Officer shall have been appointed. Such accounts and payments shall be allowed and settled in the Government Accountability Office, and the checks signed in the name of the former Chief Administrative Officer shall be honored by the Treasurer of the United States, in the same manner as if the former Chief Administrative Officer had continued in office. The former Chief Administrative Officer or his estate shall not be subject to any legal liability or penalty for the official acts and defaults of such disbursing clerk acting in the name or in the place of the former Chief Administrative Officer under this section, but such disbursing clerk shall be responsible therefor. The accounts and payments referred to in the second sentence shall be audited by the Inspector General of the House of Representatives.

(June 8, 1942, ch. 396, § 7, 56 Stat. 350; Pub. L. 92-310, title II, § 220(i), June 6, 1972, 86 Stat. 205; Pub. L. 104-186, title II, § 204(19), Aug. 20, 1996, 110 Stat. 1732; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

#### AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1996—Pub. L. 104-186, § 204(19)(A), in first sentence, substituted “Chief Administrative Officer of the House of Representatives, the accounts of the Chief Administrative Officer” for “Clerk of the House of Representatives, the accounts of such Clerk” and “new Chief Administrative Officer shall have been appointed” for “new Clerk of the House of Representatives shall have been elected and qualified”.

Pub. L. 104-186, § 204(19)(B), in second sentence, struck out “, audited,” after “shall be allowed” and substituted “name of the former Chief Administrative Officer” for “name of the former Clerk of the House of Representatives” and “the former Chief Administrative Officer” for “such former Clerk”.

Pub. L. 104-186, § 204(19)(C), in third sentence, substituted “The former Chief Administrative Officer” for “The former Clerk” and “the former Chief Administrative Officer” for “such former Clerk”.

Pub. L. 104-186, § 204(19)(D), inserted at end “The accounts and payments referred to in the second sentence shall be audited by the Inspector General of the House of Representatives.”

1972—Pub. L. 92-310 struck out provisions which related to the sureties on the bond of the former clerk, and which required the disbursing clerk to give a bond.

#### § 75a-1. Temporary appointments in case of vacancies or incapacity of House officers; compensation

##### (a) Temporary appointments in case of vacancy or incapacity in office of Clerk, Sergeant at Arms, Chief Administrative Officer, or Chaplain of House

In case of a vacancy, from whatever cause, in the office of Clerk, Sergeant at Arms, Chief Administrative Officer or Chaplain, of the House of Representatives, or in case of the incapacity or inability of the incumbent of any such office to perform the duties thereof, the Speaker of the House of Representatives may appoint a person to act as, and to exercise temporarily the duties of, Clerk, Sergeant at Arms, Chief Administrative Officer or Chaplain, as the case may be, until a person is chosen by the House of Rep-